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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Application of :  
David S. GARVEY :  
Serial No. 10/695,644 : Group Art Unit: 1614  
Filed: October 29, 2003 : Examiner:

For: NITROSATED AND NITROSYLATED NEBIVOLOL AND ITS METABOLITES,  
COMPOSITIONS AND METHODS OF USE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

In accordance with 37 C.F.R. § 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search had been made or that information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of

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publication indicated for an item is taken from the face of the item, and Applicant reserves the right to prove that the date of publication is in fact different.

Applicants' representative certifies that the enclosed documents were cited in a communication from the European Patent Office in a counterpart foreign application.

No fee is believed to be required; however, the Commissioner is authorized to charge any deficiency in any fees pursuant to 37 CFR § 1.17 associated with this communication and to credit any excess payment to Deposit Account No. 08-0219.

Respectfully submitted,

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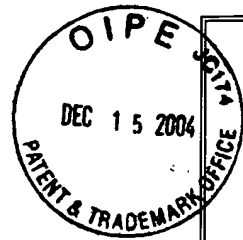
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Date: \_\_\_\_\_

December 15, 2004



**INFORMATION DISCLOSURE  
CITATION IN AN  
APPLICATION**

(PTO-1449)

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SERIAL NO.  
10/695,644

APPLICANT  
David S. Garvey

FILING DATE  
October 29, 2003

GROUP  
1614

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE

**FOREIGN PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	WO 01/12584	02/22/01	WIPO			X	

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Kakoki, Masao et al. January 1999. "Effects of Vasodilatory $\beta$ -Adrenoceptor Antagonists on Endothelium-Derived Nitric Oxide Release in Rat Kidney." <i>Hypertension</i> . Vol. 33, part II. pp. 467-471.
	Brehm, B. R. et al. 2001. "Effects of nebivolol on proliferation and apoptosis of human coronary artery smooth muscle and endothelial cells." <i>Cardiovascular Research</i> . Vol. 49. pp. 430-439.
	September 7, 2004. Supplementary European Search Report from European Patent Application No. 02766876.3.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.